

TITLE 326 AIR POLLUTION CONTROL BOARD

FINDINGS AND DETERMINATION OF THE COMMISSIONER PURSUANT TO IC 13-14-9-7 AND SECOND NOTICE OF COMMENT PERIOD #03-285(APCB)

DEVELOPMENT OF NEW RULES CONCERNING INCORPORATION BY REFERENCE OF NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SURFACE COATING OF LARGE APPLIANCES; SURFACE COATING OF METAL COIL; PAPER AND OTHER WEB COATING; FLEXIBLE POLYURETHANE FOAM FABRICATION OPERATIONS; MUNICIPAL SOLID WASTE LANDFILLS; FRICTION MATERIALS MANUFACTURING FACILITIES; AND POLYVINYL CHLORIDE AND COPOLYMERS PRODUCTION

PURPOSE OF NOTICE

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for new rules to incorporate by reference the national emission standards for hazardous air pollutants (NESHAPs) for surface coating of large appliances; surface coating of metal coil; paper and other web coating; flexible polyurethane foam fabrication operations; municipal solid waste landfills; friction materials manufacturing facilities; and polyvinyl chloride and copolymers production. The purpose of this notice is to seek public comment on the draft rule, including suggestions for specific language to be included in the rule. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking.

CITATIONS AFFECTED: 326 IAC 20-63; 326 IAC 20-64; 326 IAC 20-65; 326 IAC 20-66; 326 IAC 20-67; 326 IAC 20-68; 326 IAC 20-69.

AUTHORITY: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11.

STATUTORY REQUIREMENTS

IC 13-14-9-7 recognizes that under certain circumstances it may be appropriate to reduce the number of public comment periods routinely provided. In cases where the commissioner determines that the rulemaking policy alternatives available to IDEM are so limited that the notice of first public comment period would provide no substantial benefit, IDEM may forego this comment period and proceed directly to the notice of second public comment period.

If the commissioner makes the determination of limited rulemaking policy alternatives required by IC 13-14-9-7, the commissioner shall prepare written findings and include them in the second notice of public comment period published in the Indiana Register. This document constitutes the commissioner's written findings pursuant to IC 13-14-9-7.

The statute provides for this shortened rulemaking process if the commissioner determines that "the rulemaking policy alternatives available to the department are so limited that the public notice and comment period under [IC 13-14-9-3]... would provide no substantial benefit to:

- (1) the environment; or
- (2) persons to be regulated or otherwise affected by the proposed rule."

SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING

Basic Purpose and Background

The 1990 Amendments to the Clean Air Act (CAA) require the United States Environmental Protection Agency (U.S. EPA) to regulate major sources of hazardous air pollutants (HAP). A major source is defined as any stationary source or group of stationary sources located within a contiguous area and under common control that has the potential to emit as a whole, considering controls, ten (10) tons per year or more of any single HAP or twenty-five (25) tons per year or more of any combination of HAPs. The HAPs, listed in Section 112(b) of the CAA, are either known or suspected to cause cancer or other serious health effects. On July 16, 1992, U.S. EPA published a list of industrial groups or sources categories that emit one (1) or more of the one hundred eighty-eight (188) listed hazardous air pollutants. (57 FR 31576)

The CAA requires U.S. EPA to develop national emission standards for hazardous air pollutants (NESHAPs) for each source category that require the application of air pollution reduction measures based on maximum achievable control technology (MACT). The MACT floor is the minimum control level that reflects the maximum degree of reduction in

emissions of HAP that is achievable. The MACT standards cannot be less stringent than the average emission limitation achieved by the best-performing twelve percent (12%) of existing sources in the category. For new sources, the MACT floor cannot be less stringent than the emission control that is achieved in practice by the best-controlled similar source.

IDEM must incorporate the federal requirements into state rules or establish state requirements that are no less stringent. This rulemaking will incorporate by reference the following NESHAPs:

Surface Coating of Large Appliances

On July 23, 2002, the U.S. EPA published a final NESHAP (67 FR 48254) to reduce HAP emissions for large appliance surface coating operations at major sources. Surface coating of large appliances typically emit the following HAPs: glycol ethers, methylene diphenyl diisocyanate, methyl ethyl ketone, toluene, and xylene. These compounds account for over eighty (80) percent of the nationwide HAP emissions from this source category. Large appliances include “white goods” such as ovens, refrigerators, freezers, dishwashers, laundry equipment, trash compactors, water heaters, comfort furnaces, electric heat pumps, and most HVAC equipment. However, not included in the source category are motor vehicle air-conditioning units, heat transfer coils, and large commercial and industrial chillers. A coating operation not included in the source category is the coating of appliance parts that have a wider use beyond large appliances (handles or fasteners). Typically, these facilities are designated as North American Industry Classification System (NAICS) codes 33522, 333312, 333415, and 333319. In Indiana, four (4) sources have been identified that may be subject to the NESHAP.

The final NESHAP requires existing sources to limit emissions to no more than 0.13 kilograms organic HAP per liter of coating solids used (1.1 pounds/gallon) each month. The emission standard for new sources is 0.022 kilograms organic HAP per liter of coating solids used (0.18 pounds/gallon) each month. These limits apply to the total of all coatings, thinners, and cleaning materials used in coating operations at the affected source. There are three compliance options available for meeting the emission limits. The first option is a compliant material option that requires each coating used in the operation meet the limit, and each thinner and cleaning material must contain no organic HAP. The second option is an emission rate without an add-on controls option, where the source averages all of the coatings, thinners, and cleaning materials together to demonstrate that the overall emission rate is in compliance with the applicable limit. The third option is available to coating operations at the source using add-on controls. Under this option, the source must meet operating limits for the capture and control devices and follow work practice standards for material storage, mixing, conveying, and spills. Existing sources subject to the NESHAP must comply by July 23, 2005, and new and reconstructed sources must comply upon startup.

Surface Coating of Metal Coil

On June 10, 2002, the U.S. EPA published a final NESHAP (67 FR 39794) to reduce HAP emissions from the surface coating of metal coil at major sources. Technical corrections to the rule were published on March 17, 2003 (68 FR 12590). The key HAP emissions from this source category are methyl ethyl ketone, glycol ethers, xylenes, toluene, and isophorone. A metal coil coating operation is the application system used to apply an organic coating to the surface of metal coil that is at least 0.15 millimeter (0.006 inch) thick. The majority of sources are designated as NAICS code 332812. In Indiana, nine (9) sources have been identified as potentially subject to the NESHAP.

The final NESHAP gives the options of limiting organic HAP emissions according to one of the following three levels: (1) No more than two percent (2%) of the organic HAP applied; (2) no more than 0.046 kilogram of organic HAP per liter (kg/l) (0.38 pound per gallon (lb/gal)) of solids applied during each 12-month compliance period; or (3) for sources using an oxidizer to control organic HAP emissions, an outlet organic HAP concentration of no greater than twenty (20) parts per million by volume (ppmv) on a dry basis with capture efficiency of one-hundred percent (100%). A source may comply through a pollution prevention approach by applying only coating materials that meet the emission rate limit. Existing sources subject to the regulation must comply by June 10, 2005, and new and reconstructed sources must comply upon startup.

Paper and Other Web Coating

On December 4, 2002, the U.S. EPA published a final NESHAP (67 FR 72330) to reduce HAP emissions from paper and other web coating operations. The organic HAP emitted from the paper and other web coating process include, toluene, methanol, methyl ethyl ketone, xylenes, phenol, methylene chloride, ethylene glycol, glycol ethers, hexane, methyl isobutylketone, cresols and cresylic acid, dimethylformamide, vinyl acetate, formaldehyde, and ethyl benzene. The paper and other web coating source category includes any facility that is located at a major source and is engaged in the coating of paper, plastic, film, metallic foil, and other web surfaces. Web coating refers to the application of a continuous layer of coating material across the entire width or any portion of the width of a web substrate, and any associated curing/drying equipment between an unwind or feed station and a rewind or cutting station where the continuous web substrate is flexible enough to be wound or unwound as rolls. Affected sources are identified by numerous NAICS

codes; common ones are 322221, 322222, and 322299, and 325992. In Indiana, twelve (12) sources have been identified that may be subject to the NESHAP.

The final NESHAP expresses the emission limit in three formats based on whether HAP emissions are measured in terms of mass of organic HAP applied, mass of coating material applied, or mass of coating solids applied. The three HAP emission limits for existing affected sources are: (1) limit emissions to no more than five percent (5%) of the mass of organic HAP applied each month; (2) limit the total mass of organic HAP in the coating materials, or the total mass of organic HAP emitted, to no more than four percent (4%) of the total mass of coating materials applied to the web substrate each month; or (3) limit the total mass of the organic HAP in the coatings, or the total mass of organic HAP emitted, to no more than twenty percent (20%) of the total mass of coating solids applied to web substrates each month. Alternatively, sources using an oxidizer to control organic HAP emissions may choose to operate the oxidizer such that an outlet HAP concentration of no greater than twenty (20) parts per million by volume (ppmv) by compound on a dry basis is achieved. Existing sources subject to the regulation must comply by December 5, 2005, and new and reconstructed sources must comply upon startup.

Flexible Polyurethane Foam Fabrication Operations

On April 14, 2003, the U.S. EPA published a final NESHAP (68 FR 18062) to reduce HAPs from flexible polyurethane foam fabrication operations at major sources. The primary HAPs that will be controlled by this rule include hydrochloric acid, 2,4-toluene diisocyanate, and hydrogen cyanide. This rule will also preclude the use of methylene chloride. This source category includes operations engaged in cutting, gluing, and/or laminating pieces of flexible polyurethane foam. There are two subcategories identified in the rule, loop slitter adhesive use and flame lamination. Affected sources are identified by the NAICS code 32615. In Indiana, four (4) sources have been identified as potentially subject to the federal NESHAP.

Sources operating an existing, new, or reconstructed loop slitter are prohibited from using any HAP-based adhesive in the final rule. HAP-based adhesive is defined as adhesives containing more than five percent (5%) HAP by weight. Sources operating an existing flame lamination source are not subject to an emission limitation, although these sources are required to submit an initial notification. Sources operating a new or reconstructed flame lamination source are required to reduce HAP emissions by ninety percent (90%). Existing sources subject to the regulation must comply by April 14, 2004, and new and reconstructed sources must comply upon startup.

Municipal Solid Waste Landfills

On January 16, 2003, the U.S. EPA published a final NESHAP (68 FR 2227) to reduce HAP emissions from municipal solid waste landfills. Emissions from landfills include numerous HAPs including, but not limited to, vinyl chloride, ethyl benzene, toluene, and benzene. The NESHAP applies to all municipal solid waste landfills that are major sources or are collocated with a major source, and to some landfills that are area sources. Area sources are those that have the potential to emit less than ten (10) tons per year (tpy) of any individual HAP or twenty-five (25) tpy total HAP. To be an affected source, the landfill (conventional landfill or bioreactor) must have accepted waste since November 8, 1987, or have additional capacity for waste disposal. Affected sources are identified by the NAICS codes 924110 and 562212. In Indiana, twelve (12) sources have been identified as potentially subject to the federal rule.

The final NESHAP contains the same requirements as the emission guidelines (EG)/New source performance standards (NSPS) for municipal solid waste landfills (326 IAC 8-8), plus startup, shutdown, and malfunction (SSM) definition and reporting of deviations for out-of-range monitoring parameters. Existing sources subject to this regulation must comply with the additional requirements of the final rule (that are over and above the EG/NSPS) by January 16, 2004, and new and reconstructed sources must comply upon startup.

Friction Material Manufacturing Facilities

On October 18, 2002, the U.S. EPA published a final NESHAP (67 FR 64498) to reduce HAP emissions from major sources of friction material manufacturing. The key HAP emissions from this source category are n-hexane, toluene, and trichloroethylene. Friction materials manufacturing includes any facility engaged in the manufacture of friction materials such as brake and clutch linings. The NESHAP specifically regulates solvent mixers using a solvent containing one (1) or more HAPs as an ingredient to the friction material composition. Affected sources are identified by the NAICS codes 33634, 327999, and 333613. In Indiana, two (2) sources have been identified as potentially subject to the federal rule.

The final NESHAP requires existing and new large solvent mixers to limit emissions of total organic HAPs to the atmosphere to thirty percent (30%) or less of that which would otherwise be emitted in the absence of solvent recovery and/or solvent substitution, based on a seven (7) day block average. Small solvent mixers will be required to limit emissions of total organic HAP discharged to the atmosphere to fifteen percent (15%) or less of that which would otherwise be emitted in the absence of solvent recovery and/or solvent substitution, based on a seven (7) day block

average. Existing sources subject to the regulation must comply by October 18, 2005, and new and reconstructed sources must comply upon startup.

Polyvinyl Chloride and Copolymers Production

On July 10, 2002, the U.S. EPA published a final NESHAP (67 FR 45886) to reduce HAPs from polyvinyl chloride (PVC) and copolymers production. The NESHAP requires that PVC and copolymers production facilities, which already must comply with the existing Vinyl Chloride NESHAP, continue to comply with that existing NESHAP. This rule reflects EPA's determination that the HAP control level resulting from compliance with the existing Vinyl Chloride NESHAP already reflects the application of MACT, and thus, meets the requirements of Section 112(d) of the CAA, except for equipment leaks at new sources. For equipment leaks, new sources must comply with the most current technology standards in the Generic MACT (40 CFR part 60, Subpart YY) rule. By requiring compliance with the Vinyl Chloride NESHAP, the U.S. EPA is promoting regulatory consistency and eliminating the costs that would be incurred by enforcing a new set of standards that would likely result in no additional HAP emissions reductions. Affected sources are identified by the NAICS code 325211. No potentially affected sources have been identified in Indiana.

IC 13-14-9-4 Identification of Restrictions and Requirements Not Imposed Under Federal Law

No element of the draft rule imposes either a restriction or a requirement on persons to whom the draft rule applies that is not imposed under federal law. Adoption of national emission standards for hazardous air pollutants fulfills the commitment to adopt rules no less stringent than the federal air toxics program as required by U.S. EPA's approval of Indiana's air toxics delegation request.

Potential Fiscal Impact

Since the NESHAP is a federal requirement this rulemaking should not result in additional cost to regulated sources beyond the costs associated with the federal rule.

Public Participation and Workgroup Information

No workgroup is planned for this rulemaking. If you feel that a workgroup or other informal discussion on the rule is necessary, please contact Susan Bem, Rules Development Section, Office of Air Quality, (317) 233-5697 or (800) 451-6021 (in Indiana), extension 3-5697.

FINDINGS

The commissioner of IDEM has prepared written findings regarding rulemaking on incorporation by reference of the national emission standards for hazardous air pollutants (NESHAPs) for surface coating of large appliances; surface coating of metal coil; paper and other web coating; flexible polyurethane foam fabrication operations; municipal solid waste landfills; friction material manufacturing facilities; and polyvinyl chloride and copolymers production. These findings are prepared under IC 13-14-9-7 and are as follows:

- (1) This rule is the direct incorporation by reference of federal requirements that are applicable to Indiana and it contains no amendments that have a substantive effect on the scope or intended application of the federal rule.
- (2) The federal rule has already gone through a rigorous public comment process.
- (3) The public will benefit from prompt adoption of this rule, because the state will have the legal authority to enforce these national emissions standards for hazardous air pollutants.
- (4) I have determined that under the specific circumstances pertaining to this rule, the rulemaking policy alternatives are so limited that the public notice and comment period provided in the notice of first public comment period would provide no substantial benefit to the environment or to persons to be regulated or otherwise affected by the rule.
- (5) The draft rule is hereby incorporated into these findings.

Lori Kaplan
Commissioner
Indiana Department of Environmental Management

REQUEST FOR PUBLIC COMMENTS

This notice requests the submission of comments on the draft rule language, including suggestions for specific revisions to language to be contained in the rule. Mailed comments should be addressed to:

#03-285(APCB) NESHAP#4
Susan Bem
c/o Rules Development Section Administrative Assistant
Office of Air Quality
Indiana Department of Environmental Management

P.O. Box 6015

Indianapolis, Indiana 46206-6015.

Hand delivered comments will be accepted by the receptionist on duty at the Tenth Floor East reception desk, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana.

Comments may be submitted by facsimile at the IDEM fax number: (317) 233-2342, Monday through Friday, between 8:15 a.m. and 4:45 p.m. Please confirm the timely receipt of faxed comments by calling the Rules Development Section at (317) 233-0426.

COMMENT PERIOD DEADLINE

Comments must be postmarked, faxed or hand delivered by December 1, 2003.

Additional information regarding this action may be obtained from Susan Bem, Rules Development Section, Office of Air Quality, (317) 233-5697 or (800) 451-6027 (in Indiana).

DRAFT RULE

SECTION 1. 326 IAC 20-63 IS ADDED TO READ AS FOLLOWS:

Rule 63. Surface Coating of Large Appliances

326 IAC 20-63-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.4081 (67 FR 48262, July 23, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart NNNN (67 FR 48262, July 23, 2002)*, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Large Appliances.

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-63-1*)

SECTION 2. 326 IAC 20-64 IS ADDED TO READ AS FOLLOWS:

Rule 64. Surface Coating of Metal Coil

326 IAC 20-64-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.5090 (67 FR 39811, June 10, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart SSSS (67 FR 39811, June 10, 2002 and 68 FR 12592, March 17, 2003)*, National Emission Standards for Hazardous Air Pollutants for Surface Coating of Metal Coil.

*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-64-1*)

SECTION 3. 326 IAC 20-65 IS ADDED TO READ AS FOLLOWS:

Rule 65. Paper and Other Web Coating

326 IAC 20-65-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.3290 (67 FR 72341, December 4, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart JJJJ (67 FR 72341, December 4, 2002)*, National Emission Standards for Hazardous Air Pollutants for Paper and Other Web Coating.

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-65-1*)

SECTION 4. 326 IAC 20-66 IS ADDED TO READ AS FOLLOWS:

Rule 66. Flexible Polyurethane Foam Fabrication Operations

326 IAC 20-66-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.8782 (68 FR 18069, April 14, 2003)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart MMMM (68 FR 18069, April 14, 2003)*, National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Fabrication Operations.

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-66-1*)

SECTION 5. 326 IAC 20-67 IS ADDED TO READ AS FOLLOWS:

Rule 67. Municipal Solid Waste Landfills

326 IAC 20-67-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.1935 (68 FR 2238, January 16, 2003)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart AAAA (68 FR 2238, January 16, 2003)*, National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills.

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-67-1*)

SECTION 6. 326 IAC 20-68 IS ADDED TO READ AS FOLLOWS:

Rule 68. Friction Material Manufacturing Facilities

326 IAC 20-68-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.9485 (67 FR 64506, October 18, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart QQQQ (67 FR 64506, October 18, 2002)*, National Emission Standards for Hazardous Air Pollutants for Friction Material Manufacturing Facilities.

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-68-1*)

SECTION 7. 326 IAC 20-69 IS ADDED TO READ AS FOLLOWS:

Rule 69. Polyvinyl Chloride and Copolymers Production

326 IAC 20-69-1 Applicability; incorporation by reference of federal standards

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to sources as provided in 40 CFR 63.211 (67 FR 45891, July 10, 2002)*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart J (67 FR 45891, July 10, 2002)*, National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production.

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-69-1*)

Notice of First Meeting/Hearing

Under IC 4-22-2-24, IC 13-14-8-1, IC 13-14-8-2 and IC 13-14-9, notice is hereby given that on February 4, 2004 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on new rules 326 IAC 20-63, 326 IAC 20-64, 326 IAC 20-65, 326 IAC 20-66, 326 IAC 20-67, 326 IAC 20-68, and 326 IAC 20-69.

The purpose of this hearing is to receive comments from the public prior to preliminary adoption of these rules by the board. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed new rules. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Susan Bem, Rules Development Section, Office of Air Quality, (317) 233-5697 or (800) 451-6027, extension 3-5697 (in Indiana).

Individuals requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management, Americans with Disabilities Act coordinator at:

Attn: ADA Coordinator

Indiana Department of Environmental Management

100 North Senate Avenue

P.O. Box 6015

Indianapolis, Indiana 46206-6015

or call (317) 233-0855. (TDD): (317) 233-6565. Speech and hearing impaired callers may contact IDEM via the Indiana Relay Service at 1-800-743-3333. Please provide a minimum of 72 hours' notification.

Copies of these rules are now on file at the Office of Air Quality, Tenth Floor East, Indiana Government Center-North, 100 North Senate Avenue and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.